

Message Text

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TO SECSTATE WASHDC NIACT IMMEDIATE 8083

S E C R E T SECTION 1 OF 2 SEOUL 10406

EXDIS - DISTRIBUTE AS NODIS

E.O. 11652: GDS

TAGS: PGOV, KS, US

SUBJECT: TONGSUN PARK AFFAIR: US-KOREAN COOPERATION

REF: STATE 293600

SUMMARY: MOFA REQUESTS VIEWS ON SHORT VERSION PRESS RELEASE
INSTEAD OF RELEASE OF FULL STATEMENT. REQUESTS NUMEROUS
CHANGES IN MODIFIED TEXT PROVIDED REFTEL. END SUMMARY.

1. POLCOUNS CLARK AND MOFA AMERICAN AFFAIRS BUREAU
DIRECTOR PAK SANG YOUNG HELD FURTHER DISCUSSION LATE
AFTERNOON DECEMBER 9 ON JOINT STATEMENT PROVIDED REFTEL.
PAK BEGAN BY SAYING THAT ROK HAD ENVISAGED GOVT-TO-GOVT
CONFIDENTIAL DOCUMENT BETWEEN TWO GOVERNMENTS. THEY
HAD ALWAYS CONSIDERED PRESS RELEASE AS SHORTENED FORM
LEAVING OUT SENSITIVE AREAS. PAK NOTED HOWEVER THAT HE
WAS ONLY REQUESTING US VIEWS ON THIS PROCEDURE AND THAT
IF ROK REQUESTS FOR TEXTUAL CHANGES COULD BE ACCOMMODATED
ROK MIGHT WELL AGREE TO FULL RELEASE. POLCOUNS POINTED
OUT THAT RELEASE OF FULL DOCUMENT HAD SIGNIFICANT
PUBLIC IMPACT POTENTIAL. HE FURTHER NOTED THAT MOST
IF NOT ALL DETAILS OF AGREEMENT WOULD BECOME APPARENT
TO THE PUBLIC AS WE WENT FORWARD WITH IMPLEMENTATION.
HE AGREED, HOWEVER, TO QUERY WASHINGTON REGARDING VIEWS

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ON CONFIDENTIALITY OF JOINT STATEMENT AND SHORT,
SANITIZED PRESS RELEASE. HE ASKED MOST IMPORTANT
FACTOR FOR ROK IN MAKING FULL STATEMENT PUBLIC AND
PAK RESPONDED THAT REINCLUSION OF PART 5 OF ORIGINAL
ROK PROPOSAL REGARDING RIGHT OF RECALL WAS MOST
IMPORTANT POINT IN THIS REGARD.

2. POLCOUNS AND PAK THEN PROCEEDED THROUGH DISCUSSION OF TEXTUAL CHANGES REQUESTED BY THE ROK. FOLLOWING SECTIONS ARE KEYED NUMBERING REFTEL.

2. A. AND B. - PAK REQUESTED THAT THIS PORTION BE RUN TOGETHER AS ONE SINGLE PARAGRAPH AND THAT IN FIRST SENTENCE OF FORMER SUBPARAGRAPH B, POSITION OF DEPT OF JUSTICE AND PARK BE REVERSED SO THAT SENTENCE WOULD IN PART READ QUOTE FOR SIGNING BY DEPT OF JUSTICE AND PARK END QUOTE. POLCOUNS MADE NO COMMENT SINCE THIS SEEMED A RATHER MINOR REQUEST.

3. B. - PAK REQUESTED THAT THE WORD ONLY BE INSERTED BETWEEN CONCERN AND THE RELATIONSHIP IN THE THIRD SENTENCE OF THIS PARAGRAPH. POLCOUNS POINTED OUT THAT IT MIGHT WELL BE IMPOSSIBLE FOR THE US TO LIVE UP TO SUCH AN

UNDERSTANDING SINCE PRESENT OR FORMER ROK OFFICIALS MAY HAVE BEEN PRESENT AT MEETINGS BETWEEN PARK AND INDICTED US CITIZENS. HE NOTED THIS WAS ONLY ONE EXAMPLE. PAK NONETHELESS REQUESTED WASHINGTON VIEWS BE SOLICITED.

3. C. - PAK REQUESTED THAT THE DETAILS INCLUDED
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IN THE ORIGINAL ROK PROPOSAL ON THIS POINT BE RETURNED TO THE TEXT. POLCOUNS POINTED OUT THAT WE ENVISAGED INCLUDING SUCH DETAIL IN THE MPAA AND THUS SAW NO NEED FOR

IT HERE. PAK NONETHELESS STRONGLY REQUESTED REINCLUSION.

3. D. - PAK SAID THAT SINCE THE INTERROGATION WILL BE IN THE KOREAN CONTEXT THE ROK CANNOT ACCEPT

ADMINISTRATION OF AN OATH UNDER AMERICAN LAW. HE ALSO POINTED OUT THAT THIS WOULD NOT BE UNDERSTOOD BY THE KOREAN PUBLIC. HE FURTHER ASKED THAT THE WORD QUOTE WILL UNQUOTE WITH RESPECT TO POLYGRAPH AND ENGLISH USAGE BE CHANGED TO QUOTE MAY UNQUOTE. HE STATED THIS DID NOT MEAN ANY ROK INTENTION OF NOT ALLOWING BOTH POLYGRAPH AND ENGLISH, BUT WAS RATHER A MORE FITTING FORM FOR PUBLIC STATEMENT. POLCOUNS POINTED OUT THAT THE US OATH WAS IMPORTANT FOR GRAND JURY PURPOSES AND THAT THE WILL FORM SEEMED A MORE POSITIVE ASSURANCE

TO US ON THIS POINT BY THE ROKG.

3. E. - PAK REQUESTED THAT THE FINAL PORTION OF
THE FINAL SENTENCE QUOTE THE UNDERSTANDING IN THE
JOINT STATEMENT END QUOTE BE DELETED AND REPLACED WITH
QUOTE THIS AGREEMENT OF COOPERATION QUNOTE.

4. C. - PAK REQUESTED THAT THE WORD ONLY BE INSERTED
BETWEEN COURT AND ON AND THAT QUOTE AND WILL NOT CONCERN
ANY CONNECTION WITH THE ROKG OR ITS OFFICIALS UNQUOTE
BE ADDED TO THE END OF THE SENTENCE. POLCOUNS POINTED
OUT SAME CONCERNS AS THOSE RAISED WITH REFERENCE 3. B.

4. D. - PAK SUGGESTED THE FOLLOWING REDRAFT QUOTE
MR. TONGSUN PARK, BY REASON OF THIS AGREEMENT, ASSUMES
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NO OBLIGATION OTHER THAN APPEARING BEFORE A US COURT
FOR THE PURPOSE OF TESTIMONY, THEREFORE NO OBLIGATION
TO APPEAR BEFORE CONGRESSIONAL COMMITTEE IN THE UNITED
STATES OR TO UNDERGO ANY OTHER QUESTIONING BY ANY UNITED
STATES GOVERNMENT AGENCY UNQUOTE. POLCOUNS POINTED OUT
THAT THIS APPEARED TO BE SAYING THE SAME THING IN A
LONGER AND MORE AWKWARD MANNER. PAK NONETHELESS URGED
STRONGLY THAT THE US ACCEDE TO THIS CHANGE.

4. F. - PAK REQUESTED THAT IN PLACE OF QUOTE WOULD
BE EXPECTED TO RETURN PROMPTLY UNQUOTE, QUOTE SHALL
RETURN PROMPTLY UNQUOTE BE USED. HE ALSO REQUESTED
THE FOLLOWING SENTENCE BE ADDED QUOTE THE UNITED STATES
WILL COOPERATE IN FACILITATING THE PROMPT RETURN OF
TONGSUN PARK AFTER EACH TRIAL TESTIMONY. UNQUOTE.
POLCOUNS POINTED OUT THAT THE UNITED STATES COULD NO

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EXDIS - DISTRIBUTE AS NODIS

MORE AGREE TO PUT PARK IN A BOX AND SEND HIM TO KOREA WITHOUT DUE PROCESS, ALTHOUGH IT WOULD TAKE MEASURES ALREADY EXPLAINED TO ASSURE THAT THIS CONTINGENCY DOES NOT ARISE, THAN COULD THE ROK PACKAGE PARK AND SEND HIM TO THE US AGAINST HIS WILL. HE HELD OUT NO HOPE FOR THIS CHANGE TO QUOTE SHALL UNQUOTE BUT AGREED TO ASK WASHINGTON ONE MORE TIME.

5. B - PAK REQUESTED THAT THE WORD QUOTE PASSPORT UNQUOTE IN THIS SENTENCE BE CHANGED TO QUOTE TRAVEL DOCUMENT UNQUOTE AND THAT THE FINAL PORTION OF THE SENTENCE BEGINNING QUOTE AND WILL TAKE NO OTHER STEPS....UNQUOTE BE DELETED. HE EXPLAINED THAT IN ORDER TO LIMIT PARK'S TRAVEL TO THE UNITED STATES, IT MIGHT BE NECESSARY TO PROVIDE A SPECIFIC TRAVEL DOCUMENT RATHER THAN A RESTRICTED PASSPORT SINCE CONSULATES OF SOME COUNTRIES DID NOT ALWAYS HONOR TRAVEL RESTRICTIONS IN OTHERWISE VALID PASSPORTS. POLCOUNS STRESSED THAT ASSURANCES AT END OF SENTENCE SEEM MINOR IN VIEW OF GOOD FAITH ASSURANCES BY THE ROK AND HE SAW NO REAL NEED FOR THEIR DELETION.

6. - PAK REQUESTED THAT POINT 5 IN THE ROK PROPOSAL BE REINSERTED AS POINT 6 IN THE PROPOSED US DRAFT. THIS REFERS TO ROKG RIGHT OF RECALL.

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3. POLCOUNS ALLOWED AS HOW THE ROKG HAD PRESENTED A RATHER EXTENSIVE SHOPPING LIST AND ASKED FOR SPECIAL AREAS OF INTEREST. PAK GAVE THE FOLLOWING AS OF PARTICULAR CONCERN: SUBPARAGRAPHS 3. C., 4. D., 4. F., AND NEW 6 PARA 5 OF ROK PROPOSAL). PAK SAID THAT IF NEW SUBPARA 6 WERE ADDED AND OTHER CHANGES COULD BE SOMEWHAT ACCOMMODATED, HE THOUGHT POSSIBLY OF PUBLIC RELEASE OF ENTIRE DOCUMENT WOULD BE GREATLY ENHANCED. HE STILL WISHED, HOWEVER, TO HAVE WASHINGTON REACTION TO CONFIDENTIAL AGREEMENT AND SANITIZED PRESS RELEASE.

4. COMMENT: WITH MAJOR EXCEPTION OF PROPOSED CHANGE SUBPARA 4., F., TO SHALL WORDING, AND OTHER MINOR EXCEPTIONS, BELIEVE THAT WE CAN COME A LONG WAY TOWARD REACHING AGREEMENT WITH ROK ON WORDING. WOULD

APPRECIATE WASHINGTON COMMENT ON REQUESTED CHANGES.
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